

Remarks/Arguments

Reconsideration of this patent application is requested. Claims 1-22 are in the case.

The specification has been amended at page 5, paragraph 0019, lines 10-13, to delete text that was inadvertently put into Control Example 2. No new matter has been introduced with this amendment.

Rejection under 35 USC 102(b)

Claims 1-8, 11-15 and 20-22 have been rejected under 35 USC 102(b) as being anticipated by US 5,075,507 (Carr et al.) It was argued that Carr et al. teach the reaction of an acrylonitrile with an alcohol in the presence of a catalyst and a solvent. Reference was made to col. 3, lines 23-25, columns 2 and 3 for reaction parameters, and Examples 1 and 2, of Carr et al.

Response to the Rejection under 35 USC 102(b)

Claim 1 has been amended to specify that the solvent in the hydrogenation reaction is an ether or an amide solvent for solubilizing byproduct (meth)acrylonitrile or poly(meth)acrylonitrile. Also, in Claim 1, the phrase "present in the feedstock" has been canceled to clarify that the byproduct (meth)acrylonitrile is unreacted (meth)acrylonitrile as indicated at page 2, lines 19-21, of the specification. No new matter has been introduced with the amendments.

Carr et al. teach that excess acrylonitrile must be removed prior to hydrogenation (col. 2, lines 50-52.) They also teach about reaction of residual acrylonitrile remaining after cyanoethylation of the aliphatic glycol with the amine at col.3, lines 3-10. Carr et al. therefore teach that residual acrylonitrile must be removed before hydrogenation; however removal with a solvent is not taught or recognized.

Removal with an ether or amide solvent is especially not taught or recognized. At col. 3, lines 25-30, Carr et al. teach use of aliphatic alcohols or hydrocarbons as solvents for the hydrogenation process. They do not teach use of an ether or amide solvent and do not teach use of the solvent for removal of byproduct acrylonitrile or polyacrylonitrile.

Lacking a teaching of an ether or amide solvent for the hydrogenation process, Carr et al. do not anticipate the claimed inventions as recited in amended Claim 1 and

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dependent Claims 2-8, 11-15 and 20-22. Withdrawal of the rejection under 35 USC 102(b) is therefore requested.

Objection to Claims 9, 10, and 16-19

Claims 9, 10 and 16-19 were objected to as being dependent upon a rejected base claim. With amendment to Claim 1, Applicants believe that Claims 9, 10 and 16-19 are now dependent on an allowable base claim and the objection should be withdrawn.

In view of the amendments and arguments made herein, it is believed that the application is in condition for allowance and should be passed to issue.

Respectfully submitted,

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